

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE AT MEMPHIS

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JAMES MICHAEL WOOD, Executor  
of Estate of Gladys G. Wood, Deceased,  
and on behalf of the wrongful death  
beneficiaries of Gladys G. Wood,

Plaintiff,

VS.

DOCKET NO. 2:15-cv-2151

GREENFIELD ASSISTED LIVING OF  
MEMPHIS, LLC d/b/a GREENFIELD  
ASSISTED LIVING OF MEMPHIS a/k/a  
GREENFIELD AT LENOX PARK;  
GREENFIELD MANAGEMENT, LLC;  
and GREENFIELD SENIOR LIVING, INC.

Defendants.

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DEFENDANTS' NOTICE OF REMOVAL OF CIVIL ACTION  
PURSUANT TO 28 U.S.C. § 1441 et seq.

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COME NOW Defendants, Greenfield Assisted Living of Memphis, LLC d/b/a Greenfield Assisted Living of Memphis a/k/a Greenfield at Lenox Park; Greenfield Management, LLC; and Greenfield Senior Living, Inc. ("Defendants") and hereby provide Notice of Removal of Civil Action from the Circuit Court for the Thirtieth Judicial District of Tennessee at Shelby County, Civil Action No. CT-000334-15 filed January 23, 2014 ("State Court Action") to this Court and states as follows:

1. Greenfield Assisted Living of Memphis, LLC d/b/a Greenfield Assisted Living of Memphis a/k/a Greenfield at Lenox Park ("Greenfield Assisted Living of Memphis") is a named Defendant in the State Court Action and was served with a copy of the Complaint and Summons on February 2, 2015.

2. Greenfield Management, LLC is a named Defendant in the State Court Action and was served with a copy of the Complaint and Summons on February 2, 2015.
3. Greenfield Senior Living, Inc. is a named Defendant in the State Court Action and was served with a copy of the Complaint and Summons on February 5, 2015.
4. Notice of Removal is being filed with this Court within thirty (30) days of the Defendants' receipt of a copy of the Complaint setting forth the claims for relief upon which Plaintiff's claims are based.
5. Although not specifically alleged in the Complaint, Defendants assert that Plaintiff was, at the time of the commencement of this action, a citizen and resident of Tennessee based on the address provided in the Notice of Intent dated September 30, 2014, which is attached to Plaintiff's Complaint (attached as Exhibit 1).
6. Greenfield Assisting Living of Memphis, LLC is a Virginia company with its principal place of business located at 125 N. Washington Street, Falls Church, Virginia 22044.
7. Greenfield Management, LLC is a Virginia company with its principal place of business at 125 N. Washington Street, Falls Church, Virginia 22044.
8. Greenfield Senior Living, Inc. is a Virginia company with its principal place of business of 125 N. Washington Street, Falls Church, Virginia 22044.
9. This Court has subject matter jurisdiction of this action pursuant to 28 U.S.C. § 1332, as complete diversity exists in this case. Diversity of citizenship exists between Plaintiff and each of the above-named Defendants.
10. The \$75,000 amount in controversy requirement is also satisfied in this case. While the Complaint does not specify the amount Plaintiff seeks from these Defendants, Plaintiff seeks general, special and punitive damages for "injuries including, but not limited to, the

following: pressure sores, necrotic ulcers that needed debridement following discharge from facility, improper and inappropriate placement at a decreased level of care, falls, abuse and neglect, and death.” (Complaint ¶ 17). Therefore, it appears based on the allegations in the Complaint, the amount in controversy exceeds the \$75,000 jurisdictional requirement of 28 U.S.C. § 1332.

11. A copy of the court file in the State Court Action is attached hereto as Exhibit 1.
12. Contemporaneous with the filing of this Notice of Removal with this Court, these Defendants are filing a Notice of Filing Notice of Removal in the State Court Action (attached as Exhibit 2), as required by 28 U.S.C. § 1446(d), and have mailed notice to Plaintiff, through his counsel of record in the State Court Action.

Respectfully submitted,

**HAGWOOD ADELMAN TIPTON, PC**

*Counsel for Defendants, Greenfield Assisted Living of Memphis, LLC d/b/a Greenfield Assisted Living of Memphis a/k/a Greenfield at Lenox Park, Greenfield Management, LLC and Greenfield Senior Living, Inc.*

s/ Rebecca Adelman

REBECCA ADELMAN, #14736

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to the following:

Richard D. Piliponis  
The Higgins Firm, PLLC  
525 Fourth Avenue South  
Nashville, TN 37210

On this 3<sup>rd</sup> day of March, 2015.

s/ Rebecca Adelman  
REBECCA ADELMAN